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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,456	08/05/2003	Joe Quint	2360/SPRI.105623	6721
32423 7590 11/01/2007 SPRINT COMMUNICATIONS COMPANY L.P. 6391 SPRINT PARKWAY KSOPHT0101-Z2100 OVERLAND PARK, KS 66251-2100			EXAMINER PHAM, HUNG Q	
			ART UNIT 2168	PAPER NUMBER
			MAIL DATE 11/01/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

mn

Office Action Summary	Application No. 10/634,456	Applicant(s) QUINT, JOE	
	Examiner HUNG Q. PHAM	Art Unit 2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/04/2007 has been entered.

Response to Arguments

Claim Rejections - 35 USC § 101

- The rejection of claims 1-8 under 35 U.S.C. § 101 has been withdrawn in view of the amendment.
- The rejection of claims 15-17 under 35 U.S.C. § 101 is sustained as detailed in the following rejection.

Applicant's comments of the rejection in the Final Office Action

As commented by applicant at page 8:

The office action states that Applicant's argument with respect to 35 U.S.C. § 102, filed in response to the non-final office action dated 28-Dec-06, is moot considering the new grounds of rejection. However, there is no § 102 rejection asserted by the Examiner in the present final office action. As such, there is confusion as to whether the prior § 102 argument was persuasive in overcoming the § 102 rejection. It is respectfully requested, for clarity of the record, that the Examiner provide a response indicating that this prior § 102 argument was persuasive in overcoming the § 102 rejection of the non-final office action.

Art Unit: 2168

As specified in the Final Office Action dated 06/05/2007, the applicants' arguments with respect to the rejection of claims 1-18 under 35 U.S.C. § 102 and 103 in the Non-Final Office Action dated 12/28/2006 have been considered but are moot in view of the new ground(s) of rejection. The new ground of rejection in the Final Office Action dated 06/05/2007 is a 103 rejection based on new references, e.g., Brady Worldwide reference (LabelMark Labeling Software), Applicant Admitted Prior Art and Microsoft Excel 2000. Therefore, the examiner respectfully declines to make comments to applicant's arguments with respect to the 102 rejection in the Non-Final Office Action dated 12/28/2006.

Claim Rejections - 35 USC § 103

Applicant's arguments with respect to the rejection under 35 U.S.C. § 103 have been fully considered but they are not persuasive.

As argued by applicant at page 9:

Independent claims 1, 9, 15, and 18 recite, "automatically validating one or more records against a predefined format" or a variation thereof, as amended herein above. As stated in the Office Action, the Brady reference does not teach validating records. The Excel reference does not teach automatically validating records against a predefined format. Instead, the Excel reference teaches manually selecting an attribute that filters a user-selected range of values within a collection of data. The filtration may then be manually executed by a user. Therefore, the Excel reference does not automatically validate a record upon entry of the record, nor does the Excel reference validate the record against a predefined format configured within the computer system. As a result, it is respectfully submitted that the Excel reference fails to cure the deficiencies of the Brady reference.

The examiner respectfully disagrees.

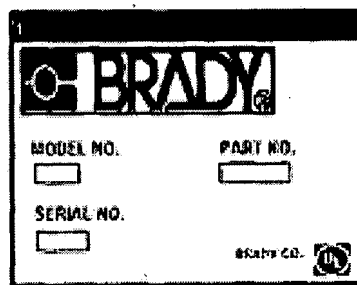
Art Unit: 2168

As taught by Brady on pages 83 and 84, a delimited text file could be imported into predefined label file with a predefined format. The delimited text file at page 83 and a predefined format of label file at page 55 as below:

Line 1,Line 2,Line 3... (carriage return)

Line 1,Line 2,Line 3... (carriage return)

Line 1,Line 2,Line 3... (carriage return)

A Brady label template. At the top is the Brady logo. Below it are three input fields: 'MODEL NO.', 'PART NO.', and 'SERIAL NO.'. Each field has a small rectangular box next to it for data entry. In the bottom right corner, it says 'BRADY CO.' with a small circular logo.

During importing data, if the imported text is too large to fit within a label, the characters that do fit will appear in red. A user can make the text fit by using formatting characteristics in the EDITOR, e.g., reduce the font size or condense the text... Barcode could be imported into label file, if an invalid barcode characters is imported into a particular barcode symbology, it will display in red. Click on the red characters, then remove or modify them so they are valid for the symbology.

The Brady technique of importing data as discussed above indicates *label records* in the delimited text file *were automatically validated against a predefined format*, e.g., the imported texts are validated against the format of label file above. The purpose is *to remove processing errors*, e.g., too big font size or invalid barcode characters will be modified or removed, *when stored* in the label file. *Upon recognizing the errors*, e.g., if too big font size or invalid barcode characters is recognized, EDITOR as *a feedback mechanism offers assistive input*, e.g., EDITOR offers font size reducing and invalid characters removing, and *flags the errors*, e.g., the invalid characters is displayed in red.

Art Unit: 2168

The difference between the claimed invention and Brady is data of label records. Brady does not explicitly teach the data of label records is *cable* data.

As admitted by applicant in the BACKGROUND OF THE INVENTION, cable data for labeling has been used in telecommunication industry (Specification, Pages 1 and 2).

As suggested by Brady, labels can be created from a variety of industrial application (Brady, Page 1). Obviously, cable data could be created in a delimited text file and imported into a designated label file in a particular format.

Claim Objections

Claim 1 is objected to because of the following informalities: the errors at line 7 ("errors" is respectfully suggested). Appropriate correction is required. Claims 9, 15 and 18 are also objected because of the same informalities as indicated with respect to claim 1.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 15-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 15-17 appear to recite one or more computer-storage media (Claim 15, Lines 1-2). However, as further recited in the preamble, a computer system is claimed (Claim 15, Lines 2-3). The subject matter which applicant regards as the invention is indefinite.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 15-17 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 15-17 appear to recite one or more computer-storage media (Claim 15, Lines 1-2). However, as further recited in the preamble, a computer system is claimed (Claim 15, Lines 2-3). Claims 15-17 direct to neither a computer-storage media nor a system, but rather overlaps two different statutory classes of invention set forth in 35 U.S.C. § 101.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brady Worldwide [LabelMark Labeling Software], hereinafter referred to as Brady, in view of Applicant Admitted Prior Art [Specification, Pages 1-2].

Art Unit: 2168

Regarding claims 1 and 9, Brady teaches a computer program for performing *a method of printing label records on a printing device* (Brady, Page 1). The method comprising:

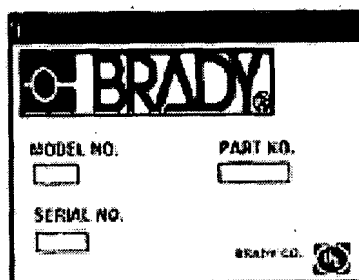
receiving search criteria for one or more label records, wherein said label records were previously stored in a storage component (Label record were previously stored in a database as disclosed by Brady at page 86, by using filters as illustrated at pages 89-90 search criteria for one or more label records from a selected database is received),

wherein said label records were automatically validated against a predefined format to remove processing errors when stored, wherein upon recognizing the errors, a feedback mechanism offers assistive input and flags the errors (As taught by Brady on pages 83 and 84, a delimited text file could be imported into predefined label file with a predefined format. The delimited text file at page 83 and a predefined format of label file at page 55 as below:

Line 1,Line 2,Line 3... (carriage return)

Line 1,Line 2,Line 3... (carriage return)

Line 1,Line 2,Line 3... (carriage return)



During importing data, if the imported text is too large to fit within a label, the characters that do fit will appear in red. A user can make the text fit by using formatting characteristics in the EDITOR, e.g., reduce the font size or condense the text... Barcode could be imported into label file, if an invalid barcode characters is imported into a particular barcode symbology, it will display in red. Click on the red characters, then remove or modify them so they are valid for the symbology. The Brady technique of importing data as discussed above indicates *label records* in

Art Unit: 2168

the delimited text file *were automatically validated against a predefined format*, e.g., the imported texts are validated against the format of label file above. The purpose is *to remove processing errors*, e.g., too big font size or invalid barcode characters will be modified or removed, *when stored* in the label file. *Upon recognizing the errors*, e.g., if too big font size or invalid barcode characters is recognized, EDITOR as *a feedback mechanism offers assistive input*, e.g., EDITOR offers font size reducing and invalid characters removing, and *flags the errors*, e.g., the invalid characters is displayed in red);

automatically, identifying one or more records in said storage component corresponding to the search criteria (Brady, Page 90);

generating a label file for the one or more records (Page 90, the query results is imported into a Label File);

automatically, providing a data stream that when rendered by the printing device produces printed label records (As illustrated at pages 75 and 76, when printed by the printing device, the Label File contains the query result is printed out and printed label records are produced) and *wherein the printed label record display content of the identified records in a prescribed format* (Page 89, the *content of the identified records*, e.g., "Zone 1", "A", "101" are displayed in a predetermined format, which was defined as in pages 54-55).

The difference between the claimed invention and Brady is data of label records. Brady does not explicitly teach the data of label records is *cable data*.

However, as taught by Brady, labels can be created from a variety of industrial application (Brady, Page 1).

As admitted by applicant in the BACKGROUND OF THE INVENTION, cable data for labeling has been used in telecommunication industry (Specification, Pages 1 and 2).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to use cable data for creating cable-label records for particular industry cables.

Art Unit: 2168

Regarding claim 15, Brady teaches *a computer system for printing label records on a printing device* (Col. 13, Lines 15-29). The system comprising:

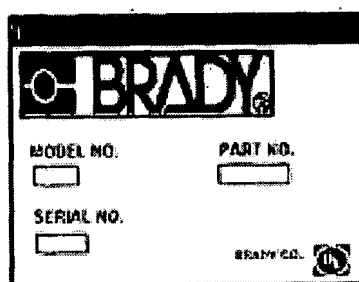
a user interface component operationally coupled to a storage component for receiving a search string to query the storage component for one or more records (Label record were previously stored in a database as disclosed by Brady at page 86, by using filters as illustrated at pages 89-90 search criteria for one or more label records from a selected database is received);

a first cable-label records module that automatically validates one or more records against a predefined format to remove processing errors when the one or more records are stored, wherein upon recognizing the errors, a feedback mechanism offers assistive input and flags the errors (As taught by Brady on pages 83 and 84, a delimited text file could be imported into predefined label file with a predefined format. The delimited text file at page 83 and a predefined format of label file at page 55 as below:

Line 1,Line 2,Line 3... (carriage return)

Line 1,Line 2,Line 3... (carriage return)

Line 1,Line 2,Line 3... (carriage return)



During importing data, if the imported text is too large to fit within a label, the characters that do fit will appear in red. A user can make the text fit by using formatting characteristics in the EDITOR, e.g., reduce the font size or condense the text... Barcode could be imported into label file, if an invalid barcode characters is imported into a particular barcode symbology, it will display in red. Click on the red characters, then remove or modify them so they are valid for the symbology. The Brady technique of importing data as discussed above

Art Unit: 2168

indicates *label records* in the delimited text file *were automatically validated against a predefined format*, e.g., the imported texts are validated against the format of label file above. The purpose is *to remove processing errors*, e.g., too big font size or invalid barcode characters will be modified or removed, *when stored* in the label file. *Upon recognizing the errors*, e.g., if too big font size or invalid barcode characters is recognized, EDITOR as *a feedback mechanism offers assistive input*, e.g., EDITOR offers font size reducing and invalid characters removing, and *flags the errors*, e.g., the invalid characters is displayed in red);

a second cable-label records module that receives the query result and converts the result into a prescribed format (Page 89, the *query result*, e.g., "Zone 1", "A", "101" are received and converted into a predetermined format, which was defined as in pages 54-55) *whereby the query result can be rendered on a printing device* (As illustrated at page 75, the label file can be executed by the printing device).

The difference between the claimed invention and Brady is data of label records. Brady does not explicitly teach the data of label records is *cable* data.

However, as taught by Brady, labels can be created from a variety of industrial application (Brady, Page 1).

As admitted by applicant in the BACKGROUND OF THE INVENTION, cable data for labeling has been used in telecommunication industry (Specification, Pages 1 and 2).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to use cable data for creating cable-label records for particular industry cables.

Regarding claim 18, Brady teaches *a method of creating cable-label records record*, comprising:

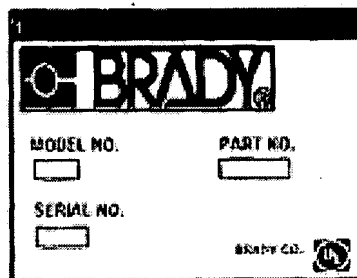
Art Unit: 2168

storing a set of data related to an information in one or more computer-readable media (Brady, Pages 83, 86 and 87, a set of data in CSV or Excel format is stored C drive for importing into Label File);

generating a label records record in a structured format from the set of data (Page 89, the Label File in a structured format as *label records record in a structured format* is created form the set of imported data); and

automatically validating the set of data against a predefined format to remove errors associated with the information, wherein upon recognizing the errors, a feedback mechanism offers assistive input and flags the errors (As taught by Brady on pages 83 and 84, a delimited text file could be imported into predefined label file with a predefined format. The delimited text file at page 83 and a predefined format of label file at page 55 as below:

Line 1,Line 2,Line 3... (carriage return)
Line 1,Line 2,Line 3... (carriage return)
Line 1,Line 2,Line 3... (carriage return)



The image shows a Brady label template. At the top is the Brady logo. Below it are three input fields: 'MODEL NO.', 'PART NO.', and 'SERIAL NO.'. Each field has a small rectangular box next to it for data entry. In the bottom right corner, there is a small Brady logo and the text 'BRADY CO.'.

During importing data, if the imported text is too large to fit within a label, the characters that do fit will appear in red. A user can make the text fit by using formatting characteristics in the EDITOR, e.g., reduce the font size or condense the text... Barcode could be imported into label file, if an invalid barcode characters is imported into a particular barcode symbology, it will display in red. Click on the red characters, then remove or modify them so they are valid for the symbology. The Brady technique of importing data as discussed above

Art Unit: 2168

indicates *label records* in the delimited text file *were automatically validated against a predefined format*, e.g., the imported texts are validated against the format of label file above. The purpose is *to remove processing errors*, e.g., too big font size or invalid barcode characters will be modified or removed, *when stored* in the label file. *Upon recognizing the errors*, e.g., if too big font size or invalid barcode characters is recognized, EDITOR as *a feedback mechanism offers assistive input*, e.g., EDITOR offers font size reducing and invalid characters removing, and *flags the errors*, e.g., the invalid characters is displayed in red);

storing the label records record in one or more computer-readable media for subsequent recall (Pages 11, 17 and 75, the Label File is stored C drive for subsequent recall, e.g., printing out).

The difference between the claimed invention and Brady is data of label records. Brady does not explicitly teach the data of label records is *cable* data.

However, as taught by Brady, labels can be created from a variety of industrial application (Brady, Page 1).

As admitted by applicant in the BACKGROUND OF THE INVENTION, cable data for labeling has been used in telecommunication industry (Specification, Pages 1 and 2).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to use cable data for creating cable-label records for particular industry cables.

Regarding claim 2, Brady and Applicant Admitted Prior Art, in combination, teach all of the claimed subject matter as discussed above with respect to claim 1, Brady further discloses *the search criteria include at least a first search parameter; and a second search parameter* (Brady, Page 90).

Regarding claim 3, Brady and Applicant Admitted Prior Art, in combination, teach all of the claimed subject matter as discussed above with respect to claim 2, by including cable data

Art Unit: 2168

as discussed above, the illustration at page 89 discloses *the cable-label records include content that is to be printed on the cable-label records.*

Regarding claim 4, Brady and Applicant Admitted Prior Art, in combination, teach all of the claimed subject matter as discussed above with respect to claim 3, Brady further discloses *content includes a plurality of identifiers indicating one of a cable type, a number of runs, a racks description, racks location information, an equipment description, an equipment designation, a termination type and/or a textual note notes* (Brady, Page 53).

Regarding claim 5, Brady and Applicant Admitted Prior Art, in combination, teach all of the claimed subject matter as discussed above with respect to claim 3, Brady further discloses the step of *assembling a query from the first and second search parameters* (Brady, Page 90).

Regarding claim 6, Brady and Applicant Admitted Prior Art, in combination, teach all of the claimed subject matter as discussed above with respect to claim 5, Brady further discloses the step of *searching the storage component against the assembled query for records matching the search criteria and returning the matching records* (Brady, Page 90).

Regarding claim 7, Brady and Applicant Admitted Prior Art, in combination, teach all of the claimed subject matter as discussed above with respect to claim 5, Brady further discloses *the data stream includes an output file* (Brady, Page 89).

Regarding claim 8, Brady and Applicant Admitted Prior Art, in combination, teach all of the claimed subject matter as discussed above with respect to claim 1, Brady further discloses

Art Unit: 2168

the prescribed format includes at least one selection from the following: a binary file; an ASCII file; and a text file, including a delimiter (Brady, Page 89).

Regarding claim 10, Brady and Applicant Admitted Prior Art, in combination, teach all of the claimed subject matter as discussed above with respect to claim 9, Brady further discloses the step of *receiving indicia related to one or more cable-label records and storing the indicia in the storage component* (Brady, Page 53).

Regarding claim 11, Brady and Applicant Admitted Prior Art, in combination, teach all of the claimed subject matter as discussed above with respect to claim 9, Brady further discloses *indicia includes a plurality of fields indicating one of: a cable type, a number of runs, a racks description, racks location information, an equipment description, an equipment designation, a termination type and/or a textual note* (Brady, Page 53).

Regarding claim 12, Brady and Applicant Admitted Prior Art, in combination, teach all of the claimed subject matter as discussed above with respect to claim 11, Brady further discloses *the search criteria include at least a first search parameter; and a second search parameter* (Brady, Page 90).

Regarding claim 13, Brady and Applicant Admitted Prior Art, in combination, teach all of the claimed subject matter as discussed above with respect to claim 12, Brady further discloses the step of *assembling a query from the first and second search parameters* (Brady, Page 90).

Regarding claim 14, Brady and Applicant Admitted Prior Art, in combination, teach all of the claimed subject matter as discussed above with respect to claim 13, Brady further discloses

Art Unit: 2168

the step of *searching the storage component against the assembled query for records matching the search criteria and returning the matching records* (Brady, Page 90).

Regarding claim 16, Brady and Applicant Admitted Prior Art, in combination, teach all of the claimed subject matter as discussed above with respect to claim 15, Brady further discloses *the prescribed format includes at least one selection from the following: an ASCII file; and a delimited text file* (Brady, Page 89).

Regarding claim 17, Brady and Applicant Admitted Prior Art, in combination, teach all of the claimed subject matter as discussed above with respect to claim 16, Brady further discloses *the query result comprises all cable-label records that match the search criteria* (Brady, Page 90).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUNG Q. PHAM whose telephone number is 571-272-4040. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TIM T. VO can be reached on 571-272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private

Art Unit: 2168

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

H. Q. Pham

HUNG Q PHAM
Primary Examiner
Art Unit 2168

October 18, 2007